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DEC 21 2006

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

2006 DEC 22 PM 1:40

LORETTA G. WHYTE  
CLERK

DEC - 5 2006

FILED  
CLERK'S OFFICE

DOCKET NO. 1657

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-77)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 5,274 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

DEC 21 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

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JAN 8 2007

Deputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LA

\_\_\_\_\_  
Lüthi  
Clerk of the Panel

Fee \_\_\_\_\_  
Process \_\_\_\_\_  
☒ Dktd \_\_\_\_\_  
CtRmDep \_\_\_\_\_  
Doc. No. 9502

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**SCHEDULE CTO-77 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

DIST. DIV. C.A. #CASE CAPTION**SECT. L MAG. 3**Case Number  
EDLA

## CALIFORNIA EASTERN

CAE 2 06-2512	Alma Roque v. Merck & Co., Inc., et al.	06-11277
CAE 2 06-2516	Crystal K. Smith, et al. v. Merck & Co., Inc., et al.	06-11278
CAE 2 06-2518	Barbara Souza v. Merck & Co., Inc., et al.	06-11279
CAE 2 06-2520	Regina Soria, et al. v. Merck & Co., Inc., et al.	06-11280

## CALIFORNIA NORTHERN

CAN 3 06-6989	Jack F. Kenny, et al. v. Merck & Co., Inc., et al.	06-11281
CAN 3 06-6990	Helen A. Anderson v. Merck & Co., Inc., et al.	06-11282
CAN 3 06-6991	Kim L. Thompson, et al. v. Merck & Co., Inc., et al.	06-11283
CAN 3 06-6993	Anita Harris v. Merck & Co., Inc., et al.	06-11284
CAN 3 06-7005	Gail Grunert v. Merck & Co., Inc.	06-11285
CAN 4 06-6992	Dorothy M. White v. Merck & Co., Inc., et al.	06-11286
CAN 5 06-6988	Chung Camino v. Merck & Co., Inc.	06-11287

## FLORIDA MIDDLE

FLM 3 06-972	Willow P. DeWitt v. Merck & Co., Inc.	06-11288
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## IDAHO

ID 2 06-454	Patricia Brittenham v. Merck & Co., Inc.	06-11289
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## ILLINOIS CENTRAL

ILC 1 06-1281	Cathy Jensen v. Wendy Gosnell, M.D., et al.	06-11290
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## ILLINOIS NORTHERN

ILN 1 06-6151	Marilyn S. Reimer v. Lee Lichtenberg, M.D., et al.	06-11291
ILN 3 06-50216	David Stuart v. David Bruah, M.D., et al.	06-11292

## ILLINOIS SOUTHERN

<del>ILS 3 06-870</del>	<del>Sharon Calaway v. Merck &amp; Co., Inc., et al.</del>	OPPOSED 12/20/06
<del>ILS 3 06-871</del>	<del>Wilma Hancock v. Merck &amp; Co., Inc., et al.</del>	OPPOSED 12/20/06
ILS 3 06-876	Alma York v. Merck & Co., Inc.	06-11293
<del>ILS 3 06-882</del>	<del>Joyce M. Smith v. Merck &amp; Co., Inc., et al.</del>	OPPOSED 12/20/06
<del>ILS 3 06-883</del>	<del>Sandra Kay Lindsey v. Merck &amp; Co., Inc., et al.</del>	OPPOSED 12/20/06
ILS 3 06-889	Fred Davis v. Merck & Co., Inc.	06-11294
ILS 3 06-893	Frederick W. Shrader v. Merck & Co., Inc.	06-11295
ILS 3 06-894	Wallace Smith v. Merck & Co., Inc.	06-11296
<del>ILS 3 06-896</del>	<del>Steven Strader v. Merck &amp; Co., Inc., et al.</del>	OPPOSED 12/20/06
ILS 3 06-899	James Leroy Kohler v. Merck & Co., Inc.	06-11297
ILS 3 06-900	Robert G. Wolfe v. Merck & Co., Inc.	06-11298
ILS 3 06-910	Thomas S. Ferguson v. Merck & Co., Inc.	06-11299
ILS 3 06-916	Jesse Lerma v. Merck & Co., Inc.	06-11300
ILS 3 06-917	Edna P. King, et al. v. Merck & Co., Inc.	06-11301
ILS 3 06-920	Diane Durbin v. Merck & Co., Inc.	06-11302
ILS 3 06-921	Stephen Dusky v. Merck & Co., Inc.	06-11303
ILS 3 06-922	Delores M. Scaturro v. Merck & Co., Inc.	06-11304
ILS 3 06-923	Lawrence Paul Anderson v. Merck & Co., Inc.	06-11305

## SCHEDULE CTO-77 - TAG-ALONG ACTIONS (MDL-1657)

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DIST. DIV. C.A. #CASE CAPTION**SECT. L MAG. 3**Case Number  
EDLA

## INDIANA NORTHERN

INN 2 06-372

Curtis W. Jones v. Merck &amp; Co., Inc.

06-11306

## MINNESOTA

MN 0 06-4432

John Franasiak, et al. v. Merck &amp; Co., Inc., et al.

06-11307

MN 0 06-4465

Gerald Lau, et al. v. Merck &amp; Co., Inc.

06-11308

MN 0 06-4487

Emily E. Barnes, et al. v. Merck &amp; Co., Inc., et al.

06-11309

## MISSOURI WESTERN

~~MOW 4 06-934~~~~Sammi Kimerer, et al. v. Merck & Co., Inc., et al.~~

OPPOSED 12/21/06

## MISSISSIPPI SOUTHERN

MSS 5 06-149

Rosie Joan Trahan, et al. v. Merck &amp; Co., Inc., et al.

06-11310

## OHIO NORTHERN

OHN 1 06-2586

Ray Williams v. Merck &amp; Co., Inc.

06-11311

OHN 1 06-2671

Mary C. Barrett, etc. v. Merck &amp; Co., Inc.

06-11312

OHN 1 06-2672

Richard Mesrobian v. Merck &amp; Co., Inc.

06-11313

## OKLAHOMA EASTERN

OKE 6 06-485

John Faulkenberry, et al. v. Merck &amp; Co., Inc.

06-11314

## OKLAHOMA WESTERN

OKW 5 06-1227

Donald White, et al. v. Merck &amp; Co., Inc.

06-11315

OKW 5 06-1234

Carolyn Thomas v. Merck &amp; Co., Inc.

06-11316

OKW 5 06-1235

George Backstrom v. Merck &amp; Co., Inc.

06-11317

OKW 5 06-1236

Gary Dickinson v. Merck &amp; Co., Inc.

06-11318

OKW 5 06-1237

Ronald Hare v. Merck &amp; Co., Inc.

06-11319

## PENNSYLVANIA EASTERN

PAE 2 06-4901

Arnold Frumin, et al. v. Merck &amp; Co., Inc., et al.

06-11320

PAE 2 06-4936

Regina Hamilton v. Merck &amp; Co., Inc.

06-11321

PAE 2 06-4937

David A. Jones, et al. v. Merck &amp; Co., Inc.

06-11322

PAE 2 06-4938

Charles Laurino, et al. v. Merck &amp; Co., Inc.

06-11323

PAE 2 06-4939

Ollie Saunders v. Merck &amp; Co., Inc.

06-11324

PAE 2 06-4940

Gerald Turner, et al. v. Merck &amp; Co., Inc.

06-11325

PAE 2 06-4941

Rose Marie Burns, et al. v. Merck &amp; Co., Inc.

06-11326

PAE 2 06-4942

Willie Gilmore, et al. v. Merck &amp; Co., Inc.

06-11327

PAE 2 06-4943

Francine McBurney, et al. v. Merck &amp; Co., Inc.

06-11328

PAE 2 06-4944

Thomas Loveland, et al. v. Merck &amp; Co., Inc.

06-11329

PAE 2 06-4945

Roseanne Rockwell, et al. v. Merck &amp; Co., Inc.

06-11330

## SOUTH CAROLINA

SC 2 06-3127

Lawrence Aljets, et al. v. Merck &amp; Co., Inc.

06-11331

SC 4 06-3174

Edna Deas v. Merck &amp; Co., Inc.

06-11332

## TEXAS EASTERN

TXE 5 06-260

Lillian J. Adams, et al. v. Merck &amp; Co., Inc., et al.

06-11333

## SCHEDULE CTO-77 - TAG-ALONG ACTIONS (MDL-1657)

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DIST. DIV. C.A. #CASE CAPTION**SECT. L MAG. 3**Case Number  
EDLA

## TEXAS SOUTHERN

<del>TXS 1 06-184</del>	<del>San Juanita Mares Lejia, et al. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
TXS 2 06-491	Rosalinda Trevino v. Merck & Co., Inc., et al.	06-11334
<del>TXS 2 06-494</del>	<del>Hortencia Garza, et al. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
<del>TXS 2 06-499</del>	<del>Pedro Hernandez v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
TXS 2 06-500	Aladin H. Vela v. Merck & Co., Inc., et al.	06-11335
<del>TXS 2 06-501</del>	<del>David Vargas v. Merck &amp; Co., Inc., et al.</del>	<del>VACATED 12/19/06</del>
TXS 2 06-504	Thomas Alviar v. Merck & Co., Inc., et al.	06-11336
TXS 2 06-505	Jose Ortiz v. Merck & Co., Inc., et al.	06-11337
TXS 2 06-507	Jesusa S. Martinez v. Merck & Co., Inc., et al.	06-11338
<del>TXS 2 06-510</del>	<del>Elda Del Bosque v. Merck &amp; Co., Inc., et al.</del>	<del>VACATED 12/19/06</del>
<del>TXS 6 06-114</del>	<del>Lynna J. Anderson, et al. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
<del>TXS 7 06-322</del>	<del>Francisca Villarreal, et al. v. Merck &amp; Co., Inc.</del>	<del>OPPOSED 12/20/06</del>
<del>TXS 7 06-336</del>	<del>Alonzo Rivas v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
<del>TXS 7 06-337</del>	<del>Dora Hernandez v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
<del>TXS 7 06-338</del>	<del>Julio Sierra v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
<del>TXS 7 06-340</del>	<del>Javier Trevino v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
<del>TXS 7 06-341</del>	<del>Marcelina Tijerina v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
<del>TXS 7 06-344</del>	<del>Maria De Leon v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>

## TEXAS WESTERN

<del>TXW 1 06-865</del>	<del>Shirley Ison, et al. v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
<del>TXW 1 06-901</del>	<del>Nathaniel Knight v. Merck &amp; Co., Inc., et al.</del>	<del>OPPOSED 12/20/06</del>
TXW 2 06-89	Frank Schmerber, et al. v. Merck & Co., Inc., et al.	06-11339
TXW 5 06-969	Wilma L. Toney, etc. v. Merck & Co., Inc.	06-11340